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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/400,320      | 09/21/1999  | JOHN C. MEARS        | 37770               | 3309             |

23820 7590 09/30/2002

ROYLANCE, ABRAMS, BERDO & GOODMAN, LLP  
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WASHINGTON, DC 20036-2680

EXAMINER

TIEU, BENNY QUOC

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2642

DATE MAILED: 09/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/400,320

Applicant(s)

MEARS ET AL.

Examiner

Benny Q. Tieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 September 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Sikora et al. (U.S. Patent No. 6,449,646).

Regarding claim 1, Sikora teaches a system for receiving and distributing contacts of different media types to a plurality of workstations, comprising:

a queuing component (Fig. 3, 44), adapted to receive said different media-type contacts (e.g., e-mail, IP voice) and maintain said contacts in a common queue while said contacts are awaiting routing to said workstations (column 7, lines 14-49); and

a routing component, adapted to route the queued contacts to said workstations based on designated criteria (column 7, line 50 through column 8, line 34).

Regarding claims 2 and 3, Sikora further teaches the system wherein said designated criteria includes at least one of criteria of said queued contacts and criteria assigned to agents operating said workstations and wherein said designated criteria includes said criteria of said queued contacts and said criteria assigned to said agents (column 8, lines 1-34).

Regarding claim 4, Sikora further teaches the system comprising a media changing component, adapted to change a media-type of any of said media-type contacts to generate a changed media-type contact (column 10, lines 10-47).

Regarding claim 5, Sikora further teaches the system wherein: said queuing component is adapted to enter said changed media-type contact in said common queue; and said routing component is adapted to route said queued changed media-type contact to at least one of said workstations (Fig. 3).

Regarding claim 6, Sikora further teaches the system comprising: a contact handling component, adapted to initiate an event at any of said workstations in response to said contact being routed thereto (column 6, lines 11-58).

Regarding claim 7, Sikora further teaches the system wherein said event includes at least one of ringing a telephone assigned to said any workstation and causing said any workstation to generate a display on its display screen (column 7, line 50 through column 8, line 34).

Regarding claim 8, Sikora further teaches the system wherein said contacts include at least one of the following: a voice communication, a facsimile communication, an e-mail communication, and data transmittable over the Internet (column 3, lines 16-25).

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Regarding claims 9-24, the limitations of the claims are rejected for the same reasons as set forth in claims 1-8 above wherein a method and a computer readable medium of instructions are applied.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuan (Teleconnect, Special Section: Small Call Centers, Vol. 17, No. 7, July 1999).

Regarding claims 1-24, Yuan teaches “uniQue” product that places all media types in a single “unified-queue” and can route based on customer priority or agent skills-set. Yuan does

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not describe details as the claimed invention. However, the scope of the inventions are the same.

Therefore, it has been obvious to skilled person in the art to be able to come up a system, a method, and a computer medium of instructions the same as the claimed invention.

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gisby et al. (U.S. Patent No. 6,044,146) teaches a method and apparatus for call distribution and override with priority. Shtivelman et al. (U.S. Patent No. 6,263,066) teaches a multimedia managing and prioritized queuing system integrated with intelligent routing capability. Beck et al. (U.S. Patent No. 6,332,154) teaches a method and apparatus for providing media-independent self-help modules within a multimedia communication-center customer interface. Armstrong (U.S. Patent No. 6,356,633) teaches an electronic mail message processing and routing for call center response to same. Dezonno (U.S. Patent No. 6,449,356) teaches a method of multi-media transaction processing. McFarlan et al. (U.S. Patent No. 6,453,038) teaches a system for integrating agent database access skills in call center agent assignment applications.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

OR Hand-delivered responses should be brought to:

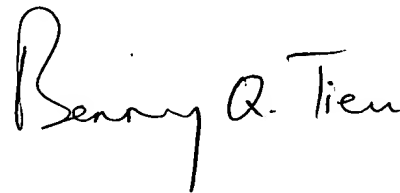
Crystal Park II, Sixth Floor (Receptionist)

2121 Crystal Drive  
Arlington, VA 22202.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is (703) 305-2360. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

A handwritten signature in black ink that reads "Benny Q. Tieu". The signature is written in a cursive style with a large initial "B" and a long, sweeping underline.

Benny Q. Tieu  
Examiner  
Art Unit 2642

BQT  
September 24, 2002